

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CARLTON L. REID,

Plaintiff,

v.

C. ALLISON, et al.,

Defendants.

Case No.: 1:22-cv-1437 JLT CDB (PC)

**ORDER ADOPTING THE FINDINGS AND
RECOMMENDATIONS IN FULL AND
DENYING PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER**

(Docs. 2 & 9)

Carlton L. Reid seeks to hold the defendants liable for civil rights violations while he was incarcerated pursuant to 42 U.S.C. § 1983. (Doc. 1.) Plaintiff seeks a temporary restraining order and preliminary injunction, requesting the defendants “be restrained from taking or confiscating JPay tablets owned by inmates” in the custody of the California Department of Corrections and Rehabilitation. (Doc. 2 at 1.) In addition, he requests the defendants be directed to return the JPay tablets to inmates who had them confiscated. (*Id.*)

On January 27, 2023, the assigned magistrate judge found Plaintiff failed to show he was likely to succeed on the merits, or that he was likely to suffer irreparable harm. (Doc. 9 at 6-10.) Therefore, the magistrate judge recommended the motion for a preliminary injunction and temporary restraining order be denied. (*Id.* at 11.) Plaintiff was granted fourteen days from the date of service to file any objections to the Findings and Recommendations (*id.*), which were served by mail on the same date. In addition, Plaintiff was informed that “[f]ailure to file

1 objections within the specified time may result in waiver of rights on appeal.” (*Id.*, citing
2 *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391, 1394
3 (9th Cir. 1991).) More than 14 days have passed, and no objections were filed.

4 According to 28 U.S.C. § 636(b)(1)(C), the Court conducted a *de novo* review of this case.
5 Having carefully reviewed the entire matter, the Court finds the Findings and Recommendations
6 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 7 1. The Findings and Recommendations issued on January 27, 2023 (Doc. 9) are
8 **ADOPTED** in full.
- 9 2. Plaintiff’s motion for a preliminary injunction and temporary restraining order
10 (Doc. 2) is **DENIED**.
- 11 3. This matter is referred to the assigned magistrate judge for further proceedings.

12
13 IT IS SO ORDERED.

14 Dated: **February 17, 2023**


UNITED STATES DISTRICT JUDGE